

Drawings

The amended replacement sheets of drawings in the attached Appendix include changes the drawings as follows:

Replacement sheet 3/4 includes Figure 3, which replaces the original sheet 3/4 including Figure 3. Replacement sheet 3/4 has the previously omitted "PRIOR ART" label added to Figure 3.

Replacement sheet 4/4 includes Figure 4, which replaces the original sheet 4/4 including Figure 4. Replacement sheet 4/4 has the previously omitted "PRIOR ART" label added to Figure 4.

Remarks

In the Office Action, the Examiner:

1. Objected to Figures 3 and 4 in the drawings for lacking a "Prior Art" label;
2. Objected to the Specification because it is too long and it contains improper language;
3. Rejected claim 1 and 5 under 35 U.S.C. § 102(e) as anticipated by Tamura/ (USP 6,622,168);
4. Rejected Claims 2, 3, 6 and 7 under 35 U.S.C. § 103(a) as obvious over Tamura in view of Ackland (US 2002/01478840); and
5. Rejected Claims 4 and 8 under 35 U.S.C. § 103(a) as obvious over Tamura in view of Tullis (US 6,535,243).

Applicants have amended claim 1 and added new claim 9 to add clarity to the claim language. Applicants have amended the Abstract and Figures 3 and 4 as requested by the Examiner. As to the Examiner's rejections under § 102 and 103, Applicants respectfully traverse.

With respect to the Examiner's rejection of claims 1 and 5 under § 102, Applicants respectfully submit that Tamura does not teach or suggest sealing the sensor package. Indeed, the Examiner was unable to find any reference to, or suggestion for, a seal for the sensor package and merely referred to Figure 7 stating that "[t]he structure of the CCD sensor package of Figure 7 allows for it to be sealed." January 18, 2005 Office Action, pg. 3. Anticipation requires that an asserted reference disclose each and every element in the claim. The Examiner has failed to show that Tamura discloses sealing the sensor package, explicitly or inherently. See *Dayco Products Inc. v. Total Containment Inc.*, 66 U.S.P.Q.2nd 1801, 1809 (Fed. Cir. 2003). Tamura therefore does not anticipate either claim 1 or claim 5.

With respect to the Examiner's § 103 rejections, Applicants respectfully submit that the Examiner has not made a prima facie case of obviousness. Obviousness requires that the combined references teach or suggest each element in the claim. As discussed above, Tamura does not teach or suggest sealing the sensor package as recited in independent claims 1 and 5. The Examiner has rejected dependent claims 2-4 and 6-8 as obvious relying on Tamura as the primary reference. The Examiner does not assert that either Ackland or Tullis, the secondary references on which the Examiner relies, teaches or suggests sealing the sensor package. Therefore, claims 2-4 and 6-8 are not obvious over Tamura in view of either Ackland or Tullis.

Applicants respectfully submit that claims 1-8 are in condition for allowance.
Favorable reconsideration is respectfully requested.

Respectfully submitted,

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